

ORIGINAL
CLERK'S DISTRICT COURT
NORTHERN DIST. OF TX
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2010 FEB 16 AM 10:01
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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

Dickey's Barbecue Restaurants, Inc.

Plaintiff

v.

Lira, LLC and Luigi Mangione

Defendant

10 CV-300-P
Civil Action No.

CERTIFICATE OF INTERESTED PERSONS

(This form also satisfies Fed. R. Civ. P. 7.1)

Pursuant to Fed. R. Civ. P. 7.1 and LR 3.1(c), LR 3.2(e), LR 7.4, LR 81.1(a)(3)(D), and LR 81.2,

Plaintiff Dickey's Barbecue Restaurants, Inc.

provides the following information:

For a nongovernmental corporate party, the name(s) of its parent corporation and any publicly held corporation that owns 10% or more of its stock (if none, state "None"):

**Please separate names with a comma. Only text visible within box will print.*

None

A complete list of all persons, associations of persons, firms, partnerships, corporations, guarantors, insurers, affiliates, parent or subsidiary corporations, or other legal entities that are financially interested in the outcome of the case:

**Please separate names with a comma. Only text visible within box will print.*

Dickey's Barbecue Pit, Inc. is an affiliate of Dickey's Barbecue Restaurants, Inc.
(Plaintiff)

Luigi Mangione and Lira, LLC
(Defendants)

Stephen A. Coke and Richard W. Winn of Wesner Coke & Clymer, P.C.
(Attorneys of Record for Plaintiff)

Date: 2-16-10
Signature: Stephen A. Coke
Print Name: Stephen A. Coke
Bar Number: 04519000
Address: 13155 Noel Road, Suite 800
City, State, Zip: Dallas, Texas 75240
Telephone: 972-770-2600
Fax: 972-770-2601
E-Mail: scoke@wccpc.com

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DEPUTY CLERK

DICKEY'S BARBECUE RESTAURANTS, INC. §

Plaintiff, §

CIVIL ACTION No. §

10CV-300-P

VS. §

LIRA, LLC and LUIGI MANGIONE §

Defendants. §

CERTIFICATE OF ATTORNEY UNDER FRCP 65 (b) (1) (B) AND LOCAL RULE 7.1

TO THE HONORABLE JUDGE OF SAID COURT:

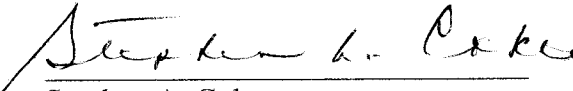
I, Stephen A. Coke, of Wesner Coke & Clymer, P.C. hereby certify pursuant to FRCP 65(b) (1) (B) and Local Rule 7.1 that on February 11, 2010, prior to filing this complaint, I telephoned Defendant Luigi Mangione, who is also President of the other Defendant Lira, LLC, on his cell phone to notify Defendants of our intention to file (a) Plaintiff's Original Complaint and Application for Temporary Restraining Order, Preliminary and Permanent Injunction and Recovery of Damages and (b) Plaintiff's Motion for Leave to File Affidavit of Michelle Frazier Under Seal Pursuant to Local Rule 79.3 in the above styled and numbered cause and for a certificate of conference pursuant to Local Rule 7.1 to determine whether Defendants are opposed or unopposed to the requested relief. Mr. Mangione stated that until he has additional time to consult with an attorney, Defendants are opposed to the foregoing motions.

Previously, also on February 11, 2010 and on numerous dates prior thereto, I attempted unsuccessfully to contact Mr. Blair Clark, who, upon information and belief, may be Defendants'

attorney. Although Defendant's employee on the date of the onsite inspection on January 29, 2010 represented to Plaintiff's employee that "You'll hear from our attorney", I am not definitely aware of an engaged attorney for Defendants. I have further notified such Defendants that they should contact Plaintiff's attorneys concerning any person or attorney to be notified in case of a hearing or submission of the application for temporary restraining order or preliminary injunction.

Subsequent to the filing of this Complaint, Plaintiff's attorney intends to serve a copy of the Complaint, the Temporary Restraining Order and Order to Show Cause and all related Affidavits and other filings upon Defendants by Federal Express at the franchise location at 2441 N. Snow Goose Way Meridian, Idaho 83646 and upon Defendants' counsel, if notified of same.

As more fully discussed in the verified Complaint and Affidavit of Daniel Sibley, which is incorporated herein by reference, Plaintiff has suffered and will continue to suffer immediate and irreparable injury, loss or damage before the adverse party can be heard in opposition unless the Court issues a temporary restraining order without written or oral notice to Defendants or Defendant's attorney, if any.


Stephen A. Coke